

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO

* * *

RE: FOURTH DISTRICT
JURY TRIALS RESUMPTION

ADMINISTRATIVE ORDER

NO. 22-02-18

On January 12, 2022, jury trials were suspended in this district until further notice, due to the rising COVID-19 case count numbers and the resulting strain being placed on local hospitals. See Administrative Order No. 22-01-12.

On February 17, 2022, the Idaho Supreme Court issued an Emergency Order Regarding Court Services. The order notes as of that date, “no counties in Idaho are currently subject to crisis standards of care and incident rates are on a downward trend across the state.” Re: Emergency Order Regarding Court Services, at 1.

The order continues to provide the administrative district judge in each judicial district with the discretion to issue orders regarding courthouse and courtroom COVID-19 risk reduction protocols. See *id.* The order also states, “[o]n or after February 28, 2022, jury proceedings, including jury trials and grand jury proceedings, may commence any time during a calendar week unless the Administrative District Judge issues an order postponing such jury proceedings.”¹ *Id.* at 3.

¹In determining whether to issue such an order, the Administrative District Judge should consider local conditions including, but not limited to, the COVID-19 incidence rate of the county as reflected in the weekly incidence report described in paragraph one and whether crisis standards of care have been activated in the local public health district. Such an order shall be in writing and contain the factual basis for the determination and shall upon entry be submitted via email to the Administrative Office of the Courts.” *Id.*

Crisis standards of care have been deactivated in the local public health district. As of yesterday, COVID-19 case count numbers were down and below a seven-day moving average incidence rate of 25 cases per 100,000 population in all counties in this district.²

In view of the foregoing, Administrative Order No. 22-01-12 is rescinded. Jury proceedings, including jury trials and grand jury proceedings, may commence in this district, beginning the calendar week of February 28, 2022, until further notice.

Administrative Order No. 21-11-24 (“Imposition of Mask and Social Distancing Requirement in Courtrooms and Court Related Areas in the Courthouses in Ada, Boise, Elmore, and Valley Counties Due to COVID-19”) remains in effect, until further notice.

IT IS SO ORDERED.

Dated this 18th day of February 2022.

2/18/2022 | 2:23 PM MST

DocuSigned by:
Judge Steven Hippler
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HONORABLE STEVEN J. HIPPLER
Administrative District Judge
Fourth Judicial District

cc: All Judges
Sandra Barrios, Trial Court Administrator, Fourth Judicial District
Phil McGrane, Ada County Clerk of Court
Mary T. Prisco, Boise County Clerk of Court
Shelley Essl, Elmore County Clerk of Court
Douglas Miller, Valley County Clerk of Court
Jan Bennetts, Ada County Prosecutor
Adam Strong, Boise County Prosecutor
Daniel Page, Elmore County Prosecutor
Brian Naugle, Valley County Prosecutor

²While there is still a large backlog of unprocessed positive test results (28,200), it appears it is going to take a significant period of time to eliminate this backlog and it is otherwise evident that the COVID-19 incidence rates in the state and in this district are on a downward trend.

Jayme Sullivan, Boise City Prosecutor
Charles Wadams, Garden City Prosecutor
Tony Geddes, Ada County Public Defender
Rob Chastain, Boise County Public Defender
Terry Ratliff, Elmore County Public Defender
Scott Erekson, Valley County Public Defender
Randy Rutland, Ada County Jury Commissioner
Ashley Turner, Boise County Jury Commissioner
Eileen Kirkland, Elmore County Jury Commissioner
Tammy Angier, Valley County Jury Commissioner
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